

00001

1 UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PENNSYLVANIA

2

CIVIL ACTION NO.

3 02-CV-3830

BOARHEAD FARM AGREEMENT Judge Legrome D. Davis

4 GROUP,

Plaintiff, Oral Deposition of:

5

vs. Arthur T. Curley, Jr.

6

ADVANCED ENVIRONMENTAL TECHNOLOGY

7 CORPORATION; ASHLAND CHEMICAL

COMPANY; BOARHEAD CORPORATION;

8 CARPENTER TECHNOLOGY CORPORATION;

CROWN METRO, INC.; DIAZ CHEMICAL

9 CORPORATION; EMHART INDUSTRIES,

INC.; ETCHED CIRCUITS, INC.; FCG,

10 INC.; GLOBE DISPOSAL COMPANY, INC.;

GLOBE-WASTECH, INC.; HANDY & HARMAN

11 TUBE COMPANY, INC.; KNOLL, INC.;

MERIT METAL PRODUCTS CORPORATION;

12 NOVARTIS CORPORATION; NRM INVESTMENT

COMPANY; PLYMOUTH TUBE COMPANY;

13 QUIKLINE DESIGN AND MANUFACTURING

COMPANY; RAHNS SPECIALTY METALS,

14 INC.; ROHM & HAAS COMPANY, SIMON

WRECKING COMPANY, INC.; TECHALLOY

15 COMPANY, INC.; THOMAS & BETTS

CORPORATION; UNISYS CORPORATION;

16 UNITED STATES OF AMERICA

DEPARTMENT OF NAVY,

17 Defendants.

18

* * * * *

19 Thursday, December 9, 2004

* * * * *

20

Transcript in the above matter taken at
21 the offices of Ballard, Spahr Andrews & Ingersoll,
LLP, Plaza 1000, Main Street, Suite 500, Voorhees,
22 New Jersey, commencing at 10:00 a.m.

23 Certified Shorthand Reporting Services

Arranged Through

24 Mastroianni & Formaroli, Inc.

709 White Horse Pike

25 Audubon, New Jersey 08106

(856) 546-1100

00161

1 MS. MOONEY: I mean --

2 MR. BIEDRZYCKI: Doesn't matter.

3 MS. MOONEY: -- it's within that one

4 and I read off the Bates numbers.

5 MR. BIEDRZYCKI: My only concern is

6 it's not going to be attached to the transcript and

7 you're going to -- this witness' transcript if you

8 don't mark it.

9 MS. MOONEY: All right, let's mark it

10 then, that's a really good point. I had extra

11 copies. This is going to be Curley Exhibit 4.

12 (Exhibit Curley-4, 7-page Agreement, Bates

13 stamped AETC 184-190, marked for I.D.)

14 BY MS. MOONEY:

15 Q. So I'll take that one back.

16 A. (Hanging).

17 Q. Have you had a chance to look at that,

18 Mr. Curley?

19 A. Yes.

20 Q. Do you know what this document is?

21 A. Yeah.

22 Q. What is it?

23 A. Contract supposedly to -- between AETC

24 and Ashland for the handling of waste.

25 Q. Do you know who created this document?

00162

1 A. No. It was Leuzarder, the company AETC,
2 not Ashland.

3 Q. Do you know if this document was ever
4 signed by Ashland?

5 A. No, as far as I know, no.

6 Q. Do you recall when -- did you receive
7 this document at any time?

8 A. I'm sure I did, yes.

9 Q. Do you recall receiving it?

10 A. Yes.

11 Q. You do.

12 Do you know when, do you recall when
13 you received it?

14 A. No.

15 Q. What were the circumstances surrounding
16 you're receiving this?

17 A. I just can assume that John wanted it
18 signed as an agreement between Ashland and AETC and
19 the handling of waste.

20 Q. Was this, did this agreement concern the
21 handling of the waste that AETC ultimately did handle
22 for Ashland?

23 A. Yes.

24 Q. Do you know why Ashland did not sign
25 this document?